

FILED BY  D.C.

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

DEC 14 PM 2:37  
THOMAS M. GOULD  
CLERK, U.S. DISTRICT COURT  
WD OF TENN.

INTERNATIONAL LONGSHOREMEN'S  
ASSOCIATION LOCAL 1671,

Plaintiff,

v.

KINDER MORGAN RIVER  
TERMINALS, LLC.

Defendant.

NO. 2:05-CV-02515 BBD-dkv

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**JOINT ~~PROPOSED~~ SCHEDULING ORDER**

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The following dates, agreed upon by the parties, are established as the final dates for:

**INITIAL DISCLOSURES PURSUANT TO Fed.R.Civ.P. 26(a)(1):**

December 30, 2005.

**JOINING PARTIES:** January 6, 2006.

**AMENDING PLEADINGS:** January 6, 2006.

**INITIAL MOTIONS TO DISMISS:** January 13, 2006.

**COMPLETING ALL DISCOVERY:** February 28, 2006.

**(a) DOCUMENT PRODUCTION:** February 28, 2006.

**(b) DEPOSITIONS, INTERROGATORIES AND REQUESTS FOR  
ADMISSIONS:** February 28, 2006.

**(c) EXPERT WITNESS DISCLOSURE (Rule 26):**

**(1) DISCLOSURE OF PLAINTIFF'S RULE 26 EXPERT**

This document entered on the docket sheet in compliance  
with Rule 58 and/or 79(a) FRCP on 12/14/05

**INFORMATION:** January 31, 2006.

**(2) DISCLOSURE OF DEFENDANT'S RULE 26 EXPERT INFORMATION:** February 10, 2006.

**(3) EXPERT WITNESS DEPOSITIONS:** February 28, 2006.

**FILING DISPOSITIVE MOTIONS:** April 3, 2006.

**OTHER RELEVANT MATTERS:**

No depositions may be scheduled to occur after the discovery cutoff date. All motions, requests for admissions, or other filings that require a response must be filed sufficiently in advance of the discovery cutoff date to enable opposing counsel to respond by the time permitted by the Rules prior to that date.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or the service of the response, answer, or objection, which is the subject of the motion, if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or the objection to the default, response, answer, or objection shall be waived.

This case is set for non-jury trial. The pretrial order date, pretrial conference date, and trial date will be set by the presiding judge. *Trial is expected to last 2-3 days.*

The parties are reminded that pursuant to Local Rule 11(a)(1)(A), all motions, except motions pursuant to Fed. R. Civ. P. 12, 56, 59, and 60 shall be accompanied by a proposed order.



The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

At this time, the parties have not given consideration to whether they wish to consent to trial before the magistrate judge. The parties will file a written consent form with the court should they decide to proceed before the magistrate judge.

This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this order will not be modified or extended.

*after the close of discovery, the parties will advise the court if this case is appropriate for ADR & whether court-annexed attorney mediation or private mediation should be conducted.*

IT IS SO ORDERED.

  
\_\_\_\_\_  
DIANE K. VESCOVO  
United States Magistrate Judge  
  
\_\_\_\_\_  
Date

Approved:

/s/ Lesley Gunther  
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## Notice of Distribution

This notice confirms a copy of the document docketed as number 8 in case 2:05-CV-02515 was distributed by fax, mail, or direct printing on December 15, 2005 to the parties listed.

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Honorable Bernice Donald  
US DISTRICT COURT